

## Message Text

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ACTION EUR-12

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R 111708Z AUG 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 2050

INFO USMISSION USBERLIN

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 12934

E.O. 11652: GDS

TAGS: PFOR, WB, GW, GE

SUBJECT: FRG-GDR TRANSIT NEGOTIATIONS

REF: (A) BONN 12759; (B) USBER 1592; (C) USBER 2316

1. TRIPARTITE BONN GROUP REPS DISCUSSED ON AUGUST 8 THE TRANSIT NEGOTIATION QUESTIONS WHICH HAD COME OUT OF THE SCHMIDT-HONECKER TALKS, DESCRIBED REFTEL A. WHILE ALL THREE REPS WERE AWAITING GUIDANCE FROM CAPITALS, THIS PRELIMINARY DISCUSSION INDICATED THAT WE WERE ALL APPROACHING THE QUESTIONS FROM THE SAME STANDPOINT.

2. UK REP (CROMARTIE) SAID THAT HE HAD SUGGESTED TO LONDON THAT THE ANSWER TO THE FIRST QUESTION SHOULD BE THAT A SUPPLEMENT TO THE QUADRIpartite AGREEMENT TO COVER THE OPENING OF ADDITIONAL BORDER-CROSSING POINTS WAS NEITHER DESIRABLE NOR LEGALLY NECESSARY. THE PROTOCOL NOTE TO THE TRANSIT TRAFFIC AGREEMENT SHOULD  
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BE BROAD ENOUGH TO PERMIT THE FRG AND THE GDR TO

NEGOTIATE ON THIS MATTER. ON THE SECOND QUESTION, CROMARTIE SAW NO OBJECTIONS TO NEGOTIATIONS BETWEEN THE REICHSBAHN AND THE BUNDESBahn, AND IN FACT HE THOUGHT IT DIFFICULT TO SEE HOW ELSE IT COULD BE DONE WITHOUT RAISING QUESTIONS OF STATUS.

3. FRENCH REP (BOISSIEU) THOUGHT, WITH REGARD TO QUESTION NO. 1, THAT THE IDEA OF A SUPPLEMENT TO THE QA WAS RIDICULOUS AND A NON-STARTER. HE DOUBTED THAT THE FRG WOULD HAVE ENOUGH AMMUNITION TO CARRY ITS POINT, BUT HE THOUGHT THE ALLIES CERTAINLY SHOULD ANSWER THE FRG QUESTION BY SAYING WE AGREE THAT THESE NEGOTIATIONS ARE WITHIN ITS COMPETENCE. AS FOR THE SECOND QUESTION, BOISSIEU THOUGHT THE HONECKER SOLUTION WAS THE BEST ONE AVAILABLE. THE ONLY PROBLEM, HE SAID, WAS TO MAKE CERTAIN THAT WHEN THE EAST GERMANS SIT DOWN TO NEGOTIATE THEY ARE WEARING RAILROAD CAPS, NOT MINISTRY OF TRANSPORT HATS.

4. US REP DREW FROM RATIONALE IN REFTTEL C IN AGREEING THAT THE FRG WAS COMPETENT TO NEGOTIATE THE OPENING OF ADDITIONAL BORDER-CROSSING POINTS. BOISSIEU DISAGREED WITH THE UK AND US VIEW THAT THE PROTOCOL NOTE TO TTA ARTICLE 3 CONTEMPLATED THE OPENING OF ADDITIONAL CROSSING POINTS, BUT THIS DID NOT ALTER HIS VIEW THAT WE SHOULD SUPPORT THE COMPETENCE OF THE FRG TO NEGOTIATE THE POINT.

5. COMMENT: AS USBER NOTED IN REF C, THE BASIC QUESTION IS ONE OF POLITICAL WILL RATHER THAN LEGAL METHOD. HONECKER APPEARS TO HAVE DECLARED HIMSELF RATHER CLEARLY ON THAT ASPECT. WHILE THE THREE ALLIES WILL PROBABLY WISH TO TELL THE FRG THEY AGREE THAT IT HAS LEGAL COMPETENCE TO NEGOTIATE ON BORDER-CROSSING POINTS, WE DOUBT VERY MUCH THAT THAT WILL BE THE END OF THE STORY.  
HILLENBRAND

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